

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NUMBER 00-6311-CR-HUCK

UNITED STATES OF AMERICA,

Plaintiff,

VS.

CLARENCE LARK, Et Al.

Defendants

GOVERNMENT'S RESPONSE TO THE MOTIONS TO SUPPRESS STATEMENTS

In its response to the Court's standing discovery order, the United States stated that the following defendants gave statements post arrest statements: Lawrence Seymore, Charlie Hall and Keith Lampkin. However, it appears that only the Defendant Hall has filed a motion to suppress.

The United States will not use the post arrest statements of either Hall or Lampkin in its case in chief, consequently, no pre-trial hearing on their admissibility need be held. The United States does intend to introduce the post arrest statement of the defendant Seymore.

If a motion to suppress this statement is filed, the United States will demonstrate that the statement was made after the defendant signed a waiver of his rights under Miranda v. Arizona, 384 U.S. 436 (1966) and that the waiver was voluntary under the

test set forth by the Court in Moran v. Burbine, 475 U.S. 412 (1986). Moreover, we will demonstrate that the statement was voluntary under the principles set forth in Colorado v. Connelly, 479 U.S. 157 (1986) and Schneckloth v. Bustamonte, 412 U.S. 318 (1973).

Respectfully submitted,
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 5th day of March, 2001 to:

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